

1

MAY 04, 1998

PACIFIC * BELL

A Pacific Telesis Company

LOUIS PELOSI
542 HILBAR LN
PALO ALTO CA

94303-3025

THANK YOU FOR THE OPPORTUNITY TO HELP PLAN YOUR TELECOMMUNICATIONS SERVICE.

THE ENCLOSED MATERIAL CONFIRMS:

- 0 THE SERVICES YOU RECENTLY ORDERED
- 0 THE ITEMIZED MONTHLY RATES FOR THOSE SERVICES
- 0 ANY SERVICE CONNECTION CHARGES
- 0 YOUR SERVICE ORDER NUMBER
- 0 IMPORTANT PRIVACY NOTICE: How to prevent your name and phone number from being revealed.

WE AT PACIFIC BELL CAN HELP IN MEETING YOUR FUTURE TELEPHONE SERVICE NEEDS. WE LOOK FORWARD TO WORKING WITH YOU AGAIN. IF YOU HAVE QUESTIONS OR REQUIRE ADDITIONAL INFORMATION, PLEASE CALL 800-472-4736.

498 ISDN

THANK YOU FOR BRINGING YOUR BUSINESS TO PACIFIC BELL.

SINCERELY,

FASTRAK
SERVICE REPRESENTATIVE

IMPORTANT DIALING INSTRUCTIONS:

Advise callers outside your area code to dial your complete telephone number (including area code) when calling your new telephone number. You will not receive calls placed to you from outside your area code that do not include your area code.



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LOUIS PELOSI
542 HILBAR LN
PALO ALTO CA

94303-3025

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648

Account Number 650 321-1526 986 A 6139 6654
 Service Order Number N32459864 Page 2 of 5
 Purchase Order Number SWITCH TYPE 5ESS NI1
 Purchase Order Number B1 SPID 65032115260101
 Purchase Order Number B2 SPID 65032116460101

MONTHLY SERVICE RATES

Activity	Telephone Number	Quantity	Description	Monthly Rate
ADD	650-321-1526	1	Personal ISDN	0.00
		1	Your Listing Is Not Published	0.30
	Key System 1526			
		1	2-Wire Pipe	0.00
		1	Personal ISDN Line-Meas Rate	6.00
	Your Long Distance		Carrier is: AT&T	
	321-1646	1	B Channel Primary Number	0.00
	Your Long Distance		Carrier is: AT&T	
	321-1526	1	SDS Home ISDN - Basic Package	20.00
		1	B-Channel Voice Or Data Device	0.00
		1	Incoming & Outgoing Call ID	0.00
		1	Digital Line Port Charge	0.67
			BRI ISDN	
	321-1646	1	B-Channel Voice Or Data Device	0.00
		1	Incoming & Outgoing Call ID	0.00
	Charges Imposed by the Federal Communications Commission:			
	321-1526	1	Access for Interstate Calling	5.00
			Base Rate ISDN	

SERVICE CONNECTION CHARGES

Telephone Number	Quantity	Description	Charge
650-321-1526	1	SDS Home ISDN - Basic Package	125.00
	1	Personal ISDN Line-Meas Rate	34.75

Remember, Pacific Bell also offers **UNIVERSAL LIFELINE TELEPHONE SERVICE** for our low income customers. Lifeline service is basic residential telephone service for half the rate of regular residential service. To qualify for Lifeline Service you must meet the following rules:

1) Your household's total gross income is no more than:

Number of People in Your Household	**Monthly Gross Income	*Annual Gross Income
1 - 2	\$1,417	\$17,000
3	\$1,667	\$20,000
Each additional Person	\$ 333	\$ 4,000

*Adjusted annually for inflation

**Monthly amounts are included only as guidelines.
Actual income eligibility should be based on annual amounts.

2) You have only one residential telephone line in your household, and your household is your main residence.

3) You are not claimed as a dependent on another person's income tax return.

If you meet all the rules shown above, you qualify for Lifeline Service.

Contact your local business office to change your service to **UNIVERSAL LIFELINE TELEPHONE SERVICE**. Call 1-800-310-BELL (1-800-310-2355) toll free or your business office toll free number located on page A3 of your Pacific Bell directory.

TROUBLE WITH YOUR INSIDE WIRING

"Inside Wire" is all the wire inside your home or business (and could also include wire that is outside on the building) which connects your telephone to the telephone box where Pacific Bell lines enter the building. You have several repair options: you may do the work yourself, you can hire someone to do it, or hire Pacific Bell by calling 611.

Three of Pacific Bell's Custom Calling features are now automatically available on your line, Call Return (*69), Repeat Dialing (*66) & Three Way Calling. You are only billed for these features when used -- \$.75 per activation. Call Return allows you to call back the last person that called you. Repeat Dialing will automatically dial a busy number for you until the line is available for up to 30 minutes and Three Way Calling lets you talk to two people at two different locations at the same time. (Some limitations apply. The \$.75 charge only applies if you do not subscribe on a monthly basis. Call completion is not guaranteed.) Blocking is available free of charge -- contact your Local Business Office for further information.

Information on Caller ID name and number blocking options

Unless you take action to block them, your name and phone number are being transmitted to people you call. This happens automatically on any call you make to persons or businesses who subscribe to Caller ID service. There are two ways you can prevent your name and number from being seen when you call. By law the choice is yours and both options are free.

Complete Blocking - (Maximum Privacy Protection) With this option Pacific Bell arranges to prevent your name and number from being sent to the person or business you're calling, on all calls. If you wish to transmit your name and number on selected calls, press *82 (1182 on rotary phones) before you dial the number.

Selective Blocking - (Minimum Privacy Protection) This option automatically allows your name and number to be sent to the person or business you're calling. If you wish to block transmission of your name and number on selected calls, press *67 (1167 on rotary phones) before you dial the number.

To order Complete Blocking or to obtain information on privacy issues associated with Caller ID service, including why you may or may not wish to have your name and number seen by the person or business you're calling, please call 1-800-310-BELL.

Remember - If you do not block them, your name and number will be displayed on calls you make if the person or business you're calling has Caller ID service.

If you have not chosen a Long Distance Carrier for all of your telephone lines, additional charges will apply. Please see your Pacific Bell bill for details.

DISCLOSURE: PAYMENT ARRANGEMENTS OF YOUR TELEPHONE ACCOUNT MAY BE DISCUSSED WITH A THIRD PARTY ONLY IF YOU (SUBSCRIBER) HAVE PREVIOUSLY PROVIDED WRITTEN AUTHORIZATION SIGNED EITHER BY YOURSELF OR YOUR ATTORNEY, OR BY VERIFICATION THAT THE THIRD PARTY HAS IN THEIR POSSESSION CONFIDENTIAL INFORMATION WHICH HAS BEEN PROVIDED BY THE SUBSCRIBER FOR THE PURPOSE OF CONTACTING PACIFIC BELL TO DISCUSS THE ACCOUNT.

Account Number 650 321-1526 986
Service Order Number N32459864

A 6139 6654
Page 5 of 5

PACIFIC BELL
A Pacific Telesis Company

SPECIAL ADVANCE TOLL BILL

We want to take this opportunity to tell you something about the billing of your telephone account.

Usually, you will receive a bill once a month. However, on the rare occasions when a customer's toll calling is unusual, a special bill may be rendered. The purpose of this special billing is to be sure you are aware of the amount which is outstanding and to give you the opportunity to discuss arrangements for payment with us. Payment for special bills is due within seven days of the date it is sent to you.

As is customary in most businesses, the amount of toll credit extended is based upon the credit you have established. A special bill may be sent to you each time charges for toll calling exceed \$100.00 in less than a full billing period.

This Special Advance Toll Bill is due immediately, and if payment or acceptable arrangements are not made within 7 days, your service will be disconnected.

Pacific Bell will release non-published customer information to authorized public agencies in an emergency; other telephone companies who need the information to provide telephone service; and to other public agencies who first obtain judicial approval for its release.

You may contact us and find out whether your non-published information has been released to an agency for emergency reasons.

Normally calls that you charge to your Pacific Bell Calling Card, third-number calls and collect calls are billed by us. However, some interstate service providers may want to bill you directly. We are required by the Federal Communications Commission to provide your bill name and address when these companies request it for their own billing purposes. If you don't want your bill name and address released, please call our business office. Unfortunately, this will result in your Pacific Bell Calling Card being canceled and third-number and collect calls being blocked.

Pacific Bell cannot guarantee the advanced assignment nor the permanence of any telephone number after installation of service.

This statement does not reflect Taxes and Surcharges.

Pacific Bell is required to charge the rates that are listed in our tariffs; should there be a conflict between the quoted rate and tariff, the tariffed rate will prevail. These tariffs are available for inspection at some of Pacific Bell's public offices or the offices of the California Public Utilities Commission.

X-Sender: lpelosi@pop.covad.com
X-Mailer: QUALCOMM Windows Eudora Pro Version 4.0
Date: Tue, 26 May 1998 18:53:24 -0700
To: bgary@Covad.COM
From: Lou Pelosi <lpelosi@Covad.COM>
Subject: Fwd: ISDN order installation

via email below..Lou

>From: "Scheibner, M PATRI (PB-mpschei)" <MPSCHEI@msg.pacbell.com>
>To: "lpelosi@covad.com" <lpelosi@Covad.COM>
>Subject: ISDN order installation
>Date: Fri, 1 May 1998 11:40:54 -0700
>X-Mailer: Internet Mail Service (5.0.1458.49)

>

>> Your ISDN installation is schedule 5-21-98 between 8am-5pm

>>

>> The order number is N32459864

>> The B1 spid number is 65032115260101

>> The B2 spid number is 65032116460101

>> The switch type is 5ESS

>>

>> Make sure you register with your long distance carrier as an ISDN

>> line.

>>

>> If you have any question or any changes on this order, please call the

>> Emerging Product Center on 1.800.472.4736.

>>

>> Thank you for choosing Pacific Bell

>>

>> Patricia Scheibner

>> Service Representative

>>

>

Lou Pelosi
Director of Marketing
Covad Communications Company
tel: (408) 490-4549
fax: (408) 490-4501
lpelosi@covad.com

Date 2-1/98

Dear Pacific Bell ISDN Customer:

Your new ISDN circuit has been installed and tested.

Your B1 phone number is 321 1526 with access to ☒ DATA ☒ VOICE
Your B2 phone number is 321 1546 with access to ☒ DATA ☒ VOICE

Now that the installation of your ISDN is complete, you are ready to install your ISDN equipment.

When initializing your equipment, the following information may be required:

SWITCH TYPE

☐ DMS

☐ NI-1 (National)

☐ #5 ESS

☒ #5 ESS NI-1 National

(If your software does not have this option, choose NI-1)

CIRCUIT TYPE

☒ Multi Point

☐ Point to point

JACK TYPE

☐ SJA11 (RJ45)

☐ RJ11

☐ MPOE/SNI ☐ BP

☐ PROT

To allow the Pacific Bell switch to properly communicate with your equipment, each channel has a Service Profile Identifier (SPID) associated with it. A TID* may also be required. The SPID's assigned to your channels are:

B1 6503211526 plus TID (if required) 0101

B2 6503211546 plus TID (if required) 0101

* (switch type may require up to four digit Terminal Identifier [TID] code such as 01 01)

Note: If you are experiencing difficulty configuring your customer provided equipment (CPE) or software, please contact your CPE provider. If you are experiencing ISDN line trouble, please contact Pacific Bell Repair Service. If you are experiencing compatibility issues with your customer provided equipment (CPE), contact the Pacific Bell ISDN Help Desk.

ISDN Repair Service Center = 811-8081

ISDN Help Desk = 1-800-221-ISDN

Circuit ID (Pac Bell Use Only) 7113VDO05516 000FT

Service Order 1032459804



COVAD CONFIDENTIAL

By Fax and Mail

May 28, 1998

Fax: (214) 464-8528
Mr. Larry Cooper
Director, CLC Program
SBC Communications
311 S. Akard
4 Bell Plaza, 8th Floor
Dallas, TX 75202

Re: Discriminatory Treatment by Pacific Bell in Loop Ordering

Dear Mr. Cooper:

This letter is to express Covad's serious concerns regarding discriminatory treatment by Pacific Bell in the loop ordering process.

On January 30, 1998, Covad attempted to order a loop to provide its ADSL service to an employee, Mr. Lou Pelosi (Purchase Order Number 305). Covad was informed that the order was on hold, pending loop availability. Pacific Bell stated that there were no available pairs to the home of Mr. Pelosi and getting a line in would require extensive construction. The date for the install of the loop was moved to April 10, 1998. However, April 10th came and went and Pacific Bell failed to install the line. Pacific Bell then informed Covad that the installation date had changed yet again to July 31, 1998.


Out of concern that his ADSL line would not be installed as quickly as necessary, Mr. Pelosi went to Pacific Bell's website and placed an order for Pacific Bell's FasTrak ISDN service on April 30, 1998. Mr. Pelosi received a order confirmation from Pacific Bell on the same day, as well as a final confirmation through the mail (see attached - Service Order Number N32459864). Furthermore, on May 1, 1998 Mr. Pelosi received an email from Pacific Bell noting an install date of May 21, 1998. On May 21, 1998 Pacific Bell installed Mr. Pelosi's line for his FasTrak ISDN service.

By placing the order of Pacific Bell's own ISDN retail customer ahead of Covad's customer, Pacific Bell is discriminating against Covad. Under Federal law and PUC regulations, Pacific Bell must provide Covad non-discriminatory access and service (i.e., parity). Pacific Bell's conduct is anti-competitive and interferes with Covad's business opportunities.

Mr. Cooper
May 28, 1998
Page 2 of 2

Covad asks that Pacific promptly respond to Covad's concerns regarding this anti-competitive conduct by conducting an investigation of the incident mentioned above and providing Covad with a written report.

Sincerely,


John Rugo
VP - Operations
Direct Dial: (408) 490-4570

cc: Sandy Kinney

1 McCUTCHEN, DOYLE, BROWN & ENERSEN, LLP
2 ALFRED C. PFEIFFER, JR. (SBN 120965)
3 NORA CREGAN (SBN 157263)
4 LAURA MAZZARELLA (SBN 178738)
5 Three Embarcadero Center
6 San Francisco, California 94111-4067
7 Telephone: (415) 393-2000

8 COVAD COMMUNICATIONS COMPANY
9 BERNARD CHAO (SBN 148352)
10 3560 Bassett Street
11 Santa Clara, California 95054
12 Telephone: (408) 490-4500

13 Attorneys for Plaintiff
14 Covad Communications Company

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 COVAD COMMUNICATIONS
19 COMPANY, a California corporation,

20 Plaintiff,

21 v.

22 PACIFIC BELL, a California corporation,

23 Defendant.

No. C98-1887-SI

**DECLARATION OF MARGE
DONALDSON IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

**Date: August 14, 1998
Time: 9:00 a.m.
Place: Courtroom 4
Hon. Susan Illston**

24 I, Marge Donaldson, declare as follows:

25 1. I am presently employed by Covad Communications, Inc. ("Covad") as
26 Collocation Project Manager. I submit this declaration in support of Covad's Motion for
Preliminary Injunction. I have personal knowledge of the facts stated in this declaration, except

Declaration of Marge Donaldson in Support of
Plaintiff's Motion for Preliminary Injunction (C98-1887-SI)

1 those matters stated on information and belief and, if called, could and would testify competently
2 to them.

3 2. I joined Covad October 1, 1997. Through my job as Collocation Project
4 Manager, I am responsible for obtaining collocation from Pacific Bell. I interact with Pacific
5 Bell on a daily basis regarding Covad's requests for collocation and the status of those requests.
6 In this declaration I will describe Covad's collocation efforts with Pacific Bell and the problems
7 Covad has faced from Pacific Bell with respect to collocation.

8 **Collocation Request Process**

9 3. Pacific Bell owns and controls all the central offices ("COs") located
10 throughout its designated service area. Each CO serves a distinct geographical service area, and
11 a distinct set of local customers. Covad must be able to collocate its equipment in the particular
12 CO which serves its customers and end-users; if not, Covad cannot provide its service to the
13 businesses and homes in that area.

14 4. When Covad decides that it needs to place its equipment in a particular
15 CO so that it can provide its service to end-users who are connected to that CO, it must make a
16 collocation request to Pacific Bell. This is called a Bona Fide Request. Pacific Bell must
17 respond to the Bona Fide Request within 30 days.

18 5. If Pacific Bell determines that space is available for Covad to collocate its
19 equipment in the CO, it responds to Covad and provides a price quote. To begin the collocation
20 process, Covad must then send a check for one-half the total cost of collocation. Pacific Bell
21 requires a specified amount of time to get the collocation space -- basically a large wire caged
22 area -- ready for Covad. Pacific Bell typically requires 120 days from the date of Covad's
23 payment (although sometimes it requires even more time).

24 6. Even after the cage is ready, Covad cannot provide its service from that
25 CO until the CO-to-CO transport Covad requires is in place and all the proper local loops are
26 connected to Covad's equipment. But Pacific Bell prevents Covad from even ordering the

1 11. When Pacific Bell denies Covad's requests for collocation, it simply states
2 that no space is available; it does not provide Covad with any other information supporting the
3 denial. Attached to this declaration as Exhibit A is a true and correct copy of a recent letter from
4 Pacific Bell refusing Covad's collocation request; it is typical of Pacific's refusals.

5 12. Before issuing its denials of collocation requests, Pacific Bell has never
6 attempted to prove to the Commission that space for collocation is not reasonably available in
7 any CO. Pacific Bell also refuses to permit Covad to inspect the COs in which it claims no space
8 is available, despite our repeated requests that it let us do so.

9 13. On May 14, 1998, after Pacific Bell had been notified of the filing of this
10 lawsuit, Pacific Bell sent Covad a letter announcing that it had "resurveyed" a number of its COs
11 and had somehow discovered that there was "additional" space in more than fifty (50) COs that
12 Pacific Bell had initially claimed had no space available. Covad had previously been denied
13 space in twenty-seven (27) of these resurveyed COs. A true and correct copy of the May 14,
14 1998 letter is attached hereto as Exhibit B.

15 14. According to the chart attached to Pacific Bell's letter, Pacific Bell had
16 resurveyed the COs in March and April, 1998. In some cases, Pacific Bell "found" additional
17 space in a CO only days after denying Covad's collocation request. For example, on April 6,
18 Pacific Bell told Covad that no space was available in the West Los Angeles-01 (WLANCA01)
19 central office. On April 17, it purportedly resurveyed the office and determined that space was
20 indeed available.

21 15. Pacific Bell worked in procedures so that even if space was found in a
22 "resurveyed" CO, Covad's ability to get into the space would be substantially delayed. In the
23 May 14 letter, Pacific Bell announced that Covad and the other CLECs would have to reapply for
24 space in each of these COs because space was limited, and specified the date upon which those
25 applications could be submitted. There is no guarantee that Covad will obtain space in any of
26 those COs, much less all of them.

1 16. The reapplication dates are staggered out over June, August and October,
2 1998. Even if Covad reapplies for space in a particular CO on the date specified by Pacific Bell
3 and is told that space *is* available, we will still be forced to wait a minimum of four months for
4 the cage construction, and then a minimum of another month after that for the necessary transport
5 before we could provide Covad service from that CO -- and all this assumes that Pacific Bell
6 delivers the cage and the transport on time and without flaws, which, to date, it has time and time
7 again proven itself unable to do. As a result, Covad would not be able to offer service in any of
8 these COs until, at best, late 1998 and early 1999. Given that Covad applied for space in many
9 of these COs in late 1997, Pacific Bell has succeeded, at a minimum, in substantially delaying
10 Covad's time to market.

11 17. At the same time that it has claimed lack of space or that, at best, limited
12 space might be available for Covad many months from now, Pacific Bell has been preparing for
13 its own imminent introduction of its new and directly competing technology in many of the same
14 markets Covad wishes to serve. In many of the same COs that it previously claimed had "no
15 space," Pacific Bell has installed its own new equipment that provides local telecommunications
16 services in direct competition with Covad's TeleSpeed service.

17 18. Indeed, less than two weeks after Pacific Bell told Covad and other CLECs
18 that it had "found" additional space for which they could apply, it announced that it was
19 deploying an ADSL version of Pacific Bell's FasTrak service from eighty-seven (87) COs.
20 Pacific Bell's new FasTrak ADSL service will be available beginning in July, and is the newest
21 version of Pacific Bell's FasTrak offerings, all of which compete with Covad's Telespeed
22 service. (A copy of the press release is attached to the Declaration of Nora Cregan.)

23 19. Almost all of the COs that Pacific Bell claims were "resurveyed" are
24 scheduled to deploy Pacific Bell's own new ADSL service next month. But Pacific Bell is also
25 deploying its own service from at least two COs, Northridge 11 and Pleasanton 13, for which it
26 continues to claim that there is no space for Covad's equipment.

1 20. We have compiled information about the COs in which Pacific Bell has
2 denied us space in a chart that is attached to this declaration as Exhibit C. The first column
3 identifies each CO where Pacific Bell told Covad that there was "no space." The second column
4 identifies the date that Pacific Bell denied Covad space. For those COs that Pacific Bell found
5 additional "limited" space, the third column provides the dates that Pacific Bell said it resurveyed
6 the CO. The fourth column provides the date when Pacific Bell is permitting Covad and other
7 CLECs to reapply for space. Finally, the last column indicates those offices where Pacific Bell
8 has announced that it is providing its new FasTrak ADSL service; the shaded rows also indicate
9 the areas where Pacific Bell has announced that it will deploy ADSL.

10 **Delays in Providing Usable Collocation**

11 21. Even in instances where Pacific Bell did not initially deny Covad's
12 collocation request because of an asserted lack of space, Pacific Bell has routinely failed to
13 deliver a usable collocation cage within 120 days of Covad's request for collocation.

14 22. In fact, to date, approximately 60% of all cages that were due to be
15 delivered before June 1, 1998, have been delivered late, with delays of weeks or even months.

16 23. Pacific Bell has also routinely failed to timely deliver numerous critical
17 items required to be delivered with the cage, such as related power cables, power outlets, cage
18 keys, ordinary telephone jacks, and equipment cabling.

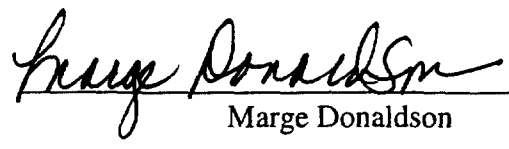
19 24. In addition to the delays Pacific builds in through its policies governing
20 the ordering and provisioning of transport, Pacific then creates even greater delays through its
21 poor performance. Many times, after providing some dedicated transport lines, Pacific Bell will
22 fail to deliver additional lines for many months. Pacific Bell has also routinely missed its
23 commitment dates for delivery, and missed subsequent delivery dates, and then delivered lines
24 that have required immediate repair. Delays have ranged from several days to months.

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I declare under penalty of perjury under the laws of the United States of America
and the State of California that the foregoing is true and correct. Executed this 12 day of June,
1998, at Santa Clara, California.


Marge Donaldson

370 Third Street
San Francisco, California 94107

5/18/98
PACIFIC * BELL
A Pacific Telesis Company

Janet O'Brien
Covad Communications
3560 Bassett
Santa Clara, Ca. 95054

May 19, 1998

Dear Janet,

I am returning your Bona Fide request for physical collocation for RSMGCA11 (30161 Aventura St. Rancho Santa Margarita). It was determined that no space was available at this location.

I can be reached on (415) 545-6196 for any questions or comments.

Sincerely,



Todd Wolf
CPAT Account Manager
370 3rd St., Rm. 716
San Francisco, Ca. 94107

May 14, 1998

Ms Janet O'Brien
COVAD Communications
3560 Bassett
Santa Clara, CA 95054

Re: Collocation Space

Dear CLEC Customer:

On April 24, 1998, you were sent a letter from Pacific Bell notifying you of additional collocation space in a number of Pacific Bell central offices. By letter of April 30, 1998, the California Public Utilities Commission (CPUC) asked us not to implement this procedure because it did not allow priority to be given to customers who had previously requested space in these central offices.

In an attempt to give first priority to customers who were previously denied physical collocation space in these central offices, the attached prioritization process was developed by the CPUC staff. Once the original requests have been prioritized and allocated, the standard application process will be followed.

Please note, the attached matrix has been revised to remove the column that reflects the dates for accepting applications. Applications will be accepted as outlined in the attached Prioritization Process.

We will continue to work to locate and create additional physical collocation space where possible. Should our efforts identify additional collocation opportunities, you will be notified in a timely manner.

If you have any additional questions, please contact your Pacific Bell Account Manager Todd Wolf at 415-545-6196.

Sincerely,

Collocation Services

cc: Ann Lopez Collocation Manager, Todd Wolf

Attachments

PRIORITIZATION PROCESS

Step I

Collocation customer submits proof of their original request to Pacific Bell by fax and certified mail on or before May 29, 1998, with a copy to the Telecommunications Division, attention Jack Leutza. Priority will be given based on the date of the original request. For those central offices where different size cages exist, the customer will provide a preference as to the size of cage they are requesting. Customers must provide one of the following four forms of written verification of a prior request:

1. Written response by Pacific Bell to a verbal request for a quote on a collocation cage.
2. Written request to Pacific Bell for a quote on a collocation space.
3. An application for physical collocation.
4. An application for virtual collocation.

Step II

Pacific Bell will notify each customer via certified mail and fax of the results of Step I as those results apply to the individual customer. A copy of the full results will be provided to Jack Leutza pursuant to the guidelines of GO 66C. These results will include whether the carrier was granted a space, the size of the space, the dates used by Pacific Bell to determine if that customer obtained a collocation space. Those customers granted space will receive a quote and deposit amount for the collocation cage. Also, customers will be provided the current list of exhausted central offices.

Step III

Customers must respond within 10 business days of the receipt of the results if they accept a collocation space or dispute the results. Notice shall be given by fax and certified mail. The customers must provide written documentation to support a dispute of the results or dates used by Pacific Bell to determine if the carrier obtained collocation space, or decline or accept the space. A copy of any dispute will also be sent to the CPUC Telecommunications Division attention Jack Leutza. **(Note: Disputes will be reviewed by the CPUC staff and the staff will facilitate the resolution of the disputes with Pacific Bell).**

Step IV

Those customers that accept a space must submit payment within 30 days of written acceptance of a space.

PRIORITIZATION PROCESS

Step V

If a customer declines space, within 5 business days, Pacific Bell will notify the next customer in line for that collocation space in the same manner as set forth in Step I and the customer will follow Steps 3 and 4.

Step VI

At the conclusion of this process, Pacific Bell will provide the Telecommunications Division staff with a final list of recipients of collocation space by central office.

Pacific Bell will develop and maintain a waiting list for those offices which can't accommodate all requests for space. This list will be based on receipt of written proof as outlined in Step I. The waiting list will also be provided to the Telecommunications Division staff.